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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/509,842 | 10/01/2004 | Tore Andre | P15375-US1 | 7744 |
| 27045 | 7590 | 11/25/2005 | EXAMINER | |
| ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024 | | | DONOVAN, LINCOLN D | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2832 | |

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/509,842

Applicant(s)

ANDRE, TORE

Examiner

Lincoln Donovan

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10-01-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because in figures 1-4, boxes 101-117 should be labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

The information disclosure statement filed 10-01-04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other

information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 51, 57-59 and 68 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 51 and 68, applicant should clarify what is intended by "page."

Regarding claims 57-59, applicant should clarify the specific method from which the claims are intended to depend.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 39-41, 43-55 and 57-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nathan et al. [US 5,537,108] in view of JP 61-53862 and Drekmeier et al. [US 5,612,662].

Regarding claims 39-41, 51 and 68, Nathan et al. discloses a cross-connect apparatus [figure 1] comprising:

- a switch matrix [2] including switching rows and columns with switching elements for connecting various switching points including a plurality of fuse relays [22] interconnecting pole points within the matrix [column 4, line 59-column 5, line 5].

Nathan et al. disclose everything claimed except the fuse element explicitly teaching a resilient device for shifting a connection between the poles for switching between various poles to provide different switching configurations.

JP 61-53862 discloses a fuse contact arrangement having fusing element cooperating with switching elements [figure 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the contact arrangement of JP 61-53862 with Nathan et al. in order to provide switching within the array.

Drekmeier et al. discloses a fuse arranged between a pair of poles [21, 22] having a resilient spring biased member [13] movable to separate the poles.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the fuse design of Drekmeier et al. for the matrix of Nathan et al., in order to ensure that the connection is broken between the poles upon application of the fuse.

Regarding claims 44-49, Nathan et al., as modified, disclose everything claimed except the specific interconnection between the various elements in the array.

Nathan et al. discloses multiple lines being connected to provide addressing for the rows and columns of the array [figure 2].

The specific interconnections made between the various cells of the array would have been an obvious design consideration based on the specific application intended of the array.

Regarding claims 50, Nathan et al., as modified, disclose everything claimed except the explicit disclosure of the array being used in an xDSL modem.

Nathan et al. discloses the array being used with electronic devices.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that an xDSL modem could also have been connected as an electronic component using the array structure taught by Nathan et al., as modified.

Regarding claims 52-55 and 57-68, the claimed method steps would have been necessitated by the structure.

Claims 42, 43 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nathan et al., as modified, as applied to claims 40 and 52 above, and further in view of Seely et al. [US 2,844,778].

Nathan et al. disclose everything claimed except the resilient member of Nathan et al., as modified being a spring biased bridge.

Seely et al. discloses a fuse member using a spring biased bridge [figure 1].

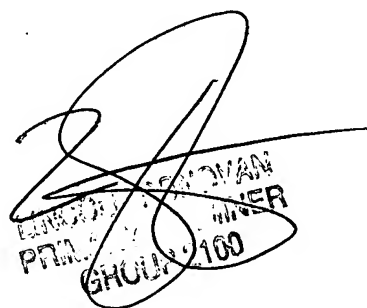
It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the spring biased bridge design of Seely et al. for the resilient member structure of Nathan et al., as modified, in order to ensure separation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lincoln Donovan whose telephone number is 571-272-1988. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Enad Elvin can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ldd



Handwritten signature of Lincoln Donovan, Examiner. Below the signature is an official stamp that reads: "LINCOLN DONOVAN", "EXAMINER", "PTOL", and "SHOULD 100".